

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

SAVANNAH COLLEGE OF ART AND : Case No. C-1-02-490
DESIGN, INC.,

Plaintiff,

- vs -

PHILIPPE HOUEIX,

Defendant.

: (Judge Beckwith)
(Magistrate Hogan)

:
: **JOINT MOTION TO MODIFY**
CALENDAR ORDER

:

:

Plaintiff Savannah College of Art and Design, Inc. and Defendant Philippe Houeix jointly move the Court to modify the April 29, 2003 Calendar Order (Doc. 23) by extending the discovery deadline by 90 days and modifying the other dates accordingly.

Respectfully submitted,

/s/ Stephen J. Butler

Stephen J. Butler (0010401)
Theodore D. Lienesch., Esq. (0016542)
THOMPSON HINE LLP
312 Walnut Street, Suite 1400
Cincinnati, Ohio 45202
(513) 352-6700
Trial Attorneys for Plaintiff
Savannah College of Art and Design, Inc.

/s/ John A. Rebel

John A. Rebel (0031771)
McKINNEY & NAMEI CO., L.P.A.
15 East Eighth Street
Cincinnati, Ohio 45202
(513) 721-0200
Trial Attorney for Defendant
Phillipe Houeix

MEMORANDUM IN SUPPORT

On April 29, 2003, the Court entered its Calendar Order setting, among others, the following dates:¹

Parties to exchange witness list and summary	October 15, 2003
Discovery deadline	November 14, 2003
Dispositive motions deadline	December 31, 2002
Final pretrial conference	April 30, 2004 at 9:30 a.m.
Trial	June 28, 2004 at 9:30 a.m.

On the same day, Defendant filed its amended answer and counterclaim. On June 13, 2003, Plaintiff filed a motion to dismiss that counterclaim. Rather than devote time and attention to issues that would not be part of the case, the parties deferred discovery pending the Court's ruling on the motion to dismiss. On September 24, 2003, this Court issued its order on the motion to dismiss, granting it in part and denying it in part.

The parties are in agreement that they need additional time to conduct discovery on the issues that remain in the case, and therefore request that the discovery deadline be extended from November 14, 2003 to February 13, 2003, and that the other dates on the Calendar Order be adjusted accordingly.

Respectfully submitted,

OF COUNSEL:

David J. Stewart
Alston & Bird, LLP
1201 West Peachtree Street
Atlanta, Georgia 30309-3424
(404) 881-7000

/s/ Stephen J. Butler

Stephen J. Butler (0010401)
Theodore D. Lienesch., Esq. (0016542)
THOMPSON HINE LLP
312 Walnut Street, Suite 1400
Cincinnati, Ohio 45202
(513) 352-6700
Trial Attorneys for Plaintiff
Savannah College of Art and Design, Inc.

¹ On April 24, 2003, Judge Beckwith entered an Order (Doc. 20) assigning the case to Magistrate Judge Hogan for disposition, pursuant to consent of the parties.

/s/ John A. Rebel

John A. Rebel (0031771)
McKINNEY & NAMEI CO., L.P.A.
15 East Eighth Street
Cincinnati, Ohio 45202
(513) 721-0200
Trial Attorney for Defendant
Phillipe Houeix

CERTIFICATE OF SERVICE

I hereby certify that on October 28, 2003, a copy of the foregoing was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/ Stephen J. Butler

Stephen J. Butler

#454502 v1